

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 24031 of 2004

Between:

K. Sambasiva Rao, S/o. Sri K. Panakalu,
aged 45 years, Occ:Lecturer in English,

DAR College, Nuzvid, Resident of Nuzvid

..... PETITIONER

AND

1. The Commissioner of Collegiate Education,
Andhra Pradesh, Hyderabad.

2. The President & Correspondent,

M/s. D A R College, Vuyyuru Gardens,
Nuzvid - 521 201.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ of Mandamus or any other appropriate Writ Order or direction in the nature of Writ directing the 1st Respondent herein to consider the representation submitted by the petitioner on 26th August, 2002 forwarded by the 2nd Respondent vide his Letter No. A1/Estt-Summer Salary/2002-2003 dated 27th August, 2002 and to pass necessary order regarding his retrospective appointment to the aided post of Lecturer (English) with effect from August, 1999 and the annual increments due to him from 2000 onwards and the emoluments due to him for the summer vacation

period of 11th April, 1999 to 22nd June, 1999 with all consequential benefits and pass any other order or orders.

Counsel for the Petitioner: MR.VEMURI VENKATESWARA RAO

Counsel for the Respondents: GP FOR EDUCATION

The Court made the following:

ORDER:

The grievance of the petitioner is that he joined as lecturer in English in the backlog vacancy of ST in the year 1998 on hourly basis viz., 18 hours per week, though he was selected on regular basis for appointment to the aided post. The petitioner made a representation on 26.08.2002 to the first respondent, for appointment in the aided post of lecturer in English with retrospective effect from August 1998 on par with other candidates. The second respondent forwarded the same to the first respondent vide his letter No.A1/Estt-Summer Salary/2002-2003 dated 27th August, 2002 recommending his appointment with retrospective effect and also salary from the date of reporting for duty including the summer Vacation and for preponing of his increments for the years 2000, 2001 and 2002. But the first respondent has not passed any orders in that regard.

2. The first respondent has to take appropriate decision basing on the recommendations of the second respondent vide letter Rc.No.A1/Estt-Summer Salary/2002-2003 dated 27.8.2002. So also the first respondent has to pass appropriate orders with regard to retrospective appointment to the aided post of Lecturer (English) with effect from August 1999. He has to take appropriate decision whether the petitioner is entitled to any payment when he worked during summer vacation of 1999.

3. Therefore, a direction is given to the first respondent to take appropriate decision basing on the representation of the petitioner dated 26.8.2002 forwarded by the

second respondent within a period of two months from the date of receipt of a copy of this order.

4. The writ petition is, accordingly, dismissed. No costs.

K.C.BHANU,J.

Date: 23rd December 2004.

BSB

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Commissioner of Collegiate Education,

Andhra Pradesh, Hyderabad.

2. The President & Correspondent,

M/s. D A R College, Vuyyuru Gardens,
Nuzvid - 521 201.

3. Two CCs to the Government Pleader for Education, High Court

Buildings, Hyderabad (OUT).

4. Two CD copies

